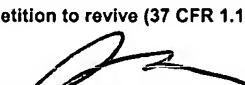


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <i>SH4</i> B1180/20036
INTERNATIONAL APPLICATION NO. PCT/EP2003/011818	INTERNATIONAL FILING DATE October 24, 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/532,147
TITLE OF INVENTION METHOD AND DEVICE FOR 3 DIMENSIONAL IMAGING OF SUSPENDED MICRO-OBJECTS PROVIDING HIGH-RESOLUTION MICROSCOPY		
APPLICANT(S) FOR DO/EO/US Spencer SHORTE, Torsten MÜLLER and Thomas SCHNELLE		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 &amp; 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Response to Notification of Missing Requirements, submission of Declaration, Notification of Missing Requirements, return receipt postcard and Express Mail transmittal sheet</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NO.											
10/532,147		PCT/EP2003/011818		B1180/20036											
The following fees have been submitted:															
21. <input type="checkbox"/> Basic national fee ..... \$300															
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100 All other situations ..... \$200															
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations ..... \$500															
<b>TOTAL OF 21, 22 and 23 =</b>															
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.															
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE											
100 =	/50 =			x \$250											
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).															
CLAIMS	NO. FILED	NUMBER EXTRA		RATE											
Total claims	- 20 =			x \$50											
Independent	- 3 =			x \$200											
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360											
<b>TOTAL OF ABOVE CALCULATIONS =</b>															
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.															
<b>SUBTOTAL =</b>															
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).															
+ \$130.00															
<b>TOTAL NATIONAL FEE =</b> \$130.00															
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property															
+ \$															
<b>TOTAL FEES ENCLOSED =</b> \$130.00															
10/26/2005 GFREY1 00000125 030075 10532147															
01 FC:1617 130.00 DA															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">a. <input type="checkbox"/> A check in the amount of \$</td> <td style="width: 40%;">to cover the above fees is enclosed.</td> </tr> <tr> <td>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-0075</u></td> <td>in the amount of \$ <u>130.00</u> to cover the above fees.</td> </tr> <tr> <td colspan="2">A duplicate copy of this sheet is enclosed.</td> </tr> <tr> <td colspan="2">c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-0075</u>. A duplicate copy of this sheet is enclosed.</td> </tr> <tr> <td colspan="2">d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</td> </tr> </table>						a. <input type="checkbox"/> A check in the amount of \$	to cover the above fees is enclosed.	b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-0075</u>	in the amount of \$ <u>130.00</u> to cover the above fees.	A duplicate copy of this sheet is enclosed.		c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-0075</u> . A duplicate copy of this sheet is enclosed.		d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	
a. <input type="checkbox"/> A check in the amount of \$	to cover the above fees is enclosed.														
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-0075</u>	in the amount of \$ <u>130.00</u> to cover the above fees.														
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d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.															
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the Application to pending status.															
SEND ALL CORRESPONDENCE TO:															
 <b>SIGNATURE</b> David M. Tener															
<b>NAME</b> 37,054															
<b>REGISTRATION NUMBER</b>															
Customer No. 03000															

JC06 Rec'd PCT/PTO 20 OCT 2005

Attny Docket No. B1180/20036  
PTO Customer No. 03000

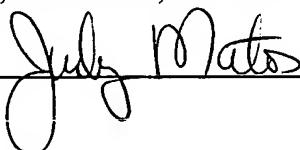
Applicants : Spencer SHORTE et al.  
U.S. Application Serial No.: 10/532,147  
Title : Method and Device For 3 Dimensional Imaging of  
Suspended Micro-Objects Providing High-Resolution  
Microscopy

The following documents are submitted for the above-identified invention for entry into the U.S. National stage under 35 U.S.C. §371, based on the International Application No. PCT/EP2003/013582, which includes the following:

1. One (1) sheet of Transmittal Letter;
2. Calculation sheet, in duplicate;
3. Response to Notification of Missing Requirements;
4. Notification of Missing Requirements;
5. Declaration and Power of Attorney; and
6. Return Receipt Post Card

**"Express Mail" Mailing Label No. EL 962207543 US  
Date of Deposit October 20, 2005**

I hereby certify that the above-identified documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Judy Matos

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Spencer SHORTE et al.

U.S. App. Serial No: 10/532,147

International App. No.: PCT/EP03/11818

Filed: April 20, 2005

International Filing Date: October 24, 2003

Att. Docket No.: B1180/20036

Confirmation No.: 6486

For: METHOD AND DEVICE FOR 3 DIMENSIONAL IMAGING OF SUSPENDED  
MICRO-OBJECTS PROVIDING HIGH-RESOLUTION MICROSCOPY

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attention: DO/EO/US

Sir:

In response to the 10/11/2005 "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" a copy of the Notice and a Declaration executed by the inventor(s) are attached. Authorization to charge the large entity surcharge under 37 CFR 1.492(e) is granted in the attached Transmittal Letter.

The Declaration is compliant with 37 CFR 1.497(a) and (b), when read in conjunction with the Application Data Sheet filed 4/20/2005, which identifies the International Application Number PCT/EP03/011818 and International Filing Date 10/24/2003. 37 CFR §§ 1.497(c) and 1.67.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

By \_\_\_\_\_

  
David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicant(s)

October 20, 2005

Please charge or credit our Account No.  
03-0075 as necessary to effect entry and/or  
ensure consideration of this submission.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/532,147	Spencer Shorte	B1180/20036

03000

CAESAR, RIVISE, BERNSTEIN,  
 COHEN & POKOTILOW, LTD.  
 11TH FLOOR, SEVEN PENN CENTER  
 1635 MARKET STREET  
 PHILADELPHIA, PA 19103-2212

RECEIVED  
 OCT 17 2005

CAESAR, RIVISE, BERNSTEIN  
 COHEN & POKOTILOW, LTD.

INTERNATIONAL APPLICATION NO.

PCT/EP03/11818

I.A. FILING DATE	PRIORITY DATE
	10/24/2003

CONFIRMATION NO. 6486

371 FORMALITIES LETTER



\*OC000000017196700\*

Date Mailed: 10/11/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/20/2005
- Copy of the International Search Report filed on 04/20/2005
- Copy of IPE Report filed on 04/20/2005
- Preliminary Amendments filed on 04/20/2005
- U.S. Basic National Fees filed on 04/20/2005
- Priority Documents filed on 04/20/2005
- Specification filed on 04/20/2005
- Claims filed on 04/20/2005
- Abstracts filed on 04/20/2005
- Drawings filed on 04/20/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

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Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,147	PCT/EP03/11818	B1180/20036

FORM PCT/DO/EO/905 (371 Formalities Notice)